

Town of Shelburne
2026
Yearly Operational Plan



Submitted By:

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Town of Shelburne 2025 Yearly Operational Plan

This Yearly Operational Plan (YOP) submitted to the Department of Agricultural Resources pursuant to the Rights of Way Management Regulations (333 CMR 11.00_), has been reviewed and is recommended for adoption in the named municipality. The undersigned hereby acknowledges to adopt and comply with the conditions of the Yearly Operational Plan. The Yearly Operational Plan will be effective for the 2025 calendar year unless sooner modified or revoked by the Department.

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Yearly Operational Plan (YOP)
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A copy of this document should be kept on file in the municipality offices. Please send the original to the Massachusetts Department of Food and Agricultural with this approved Vegetation Management Plan at Massachusetts Department of Food and Agriculture, Pesticide Bureau, Rights of Way Program, 251 Causeway Street Suite 500, Boston Massachusetts 02114-2151.

The Conservation Commission, Board of Health and chief elected official in the community must receive a copy of this signed page and the entire Yearly Operational Plan and Vegetation Management Plan.

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Introduction

The Town of Shelburne plans to follow an Integrated Vegetation Management (IPM) program to reduce the reliance on herbicides. Vegetation Management along Rights-of-Way (ROW) includes multiple techniques to control unwanted/unsafe vegetation in a manner which considers the sensitivity of the environment and follows best management practices. The Town of Shelburne plans to submit and abide by this Yearly Operational Plan (YOP) in accordance with the Massachusetts Rights-of-Way Management Regulations (333 CMR 11.00) and the goals and objectives of the Vegetation Management Plan (VMP) approved by the Department of Agricultural Resources.

Methods of Vegetation Management

The objectives of vegetation management within and along the boundaries of ROW is to prevent or reduce defects that obstruct, hinder or incommode travelers within the ROW. Mechanical cutting and mowing of most conditions will achieve the objective, however, there are conditions that will require action by herbicide application.

Public Health Nuisance Vegetation

The control of public health nuisance vegetation within and along the ROW is a key objective of the VMP. Due to the low growing nature of some plants and stoloniferous growth habits, such as Poison Ivy (*Toxicodendron radicans*), cultivation, hand pulling or mowing are not effective. Herbicide applications will be made in accordance with the VMP, all applicable laws, and the herbicide manufacturers label.

Nuisance Woody Plants, Grass and Broadleaf Weeds

At times, factors such as growth habit, terrain and location of target vegetation may require herbicide applications. Herbicide applications will be made in accordance with the applicable laws, the VMP and manufacturer label.

Vegetation Which Creates a Risk Condition

At times factors such as growth habit, terrain and location of target vegetation may require herbicide applications. Herbicide application will be made in accordance with applicable laws, this VMP and manufacturer label.

ROW vegetation management will consist of three method categories.

Cultural Control

Mulching- Mulching of planting beds and ROW boundaries where appropriate to reduce undesirable vegetation.

Street Sweeping- Street sweeping with a mechanical street sweeper to remove soils on edges of curbing and roadside berms. This action reduces the likelihood of target vegetation germination and establishment.

Crack Sealing- Performed when possible to limit target vegetation growth by filling in cracks with sealer.

Mechanical Control

Selective Trimming- Mechanical Pruning of targeted woody plant material that may obstruct, hinder, or incommode travelers within the ROW.

Hand Cutting- Mechanical cutting of targeted woody plant material as close to the ground as practical. Hand cutting is used to protect environmentally sensitive sites or non-target vegetation.

Hand Pulling- Pulling targeted grass and broadleaf weeds by hand.

Mowing- Mechanical cutting of target vegetation using machines such as a power trimmer, push mower, riding mower or other similar equipment.

Chemical Control

Herbicide Application- using herbicide where and when such use is most appropriate according to applicable law and the VMP. Herbicide applications will be made in accordance with applicable law and by following the manufacturer label.

Within All Areas:

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application method shall be applied.

Within Sensitive Areas:

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application method shall be applied.
- Herbicides shall be applied selectively by low pressure foliar techniques or stem application only or other method approved by the Department of Agricultural Resources

Cut stem- Cutting target vegetation immediately followed by an herbicide application. Herbicide applications will be made in accordance with applicable law and by following the manufacturer label.

Operational Guidelines for Applicators and Herbicide Use

Massachusetts Pesticide Control Act and 333 CMR 11.00

All applicators and herbicide applications shall abide by Massachusetts General Law Chapter 132B (Massachusetts Pesticide Control Act) and 333 CMR 11.00.

Manufacturer Label, Best Management Practices, Weather

All Herbicide applications shall follow label instructions in a manner consistent with best management practices.

Calibration

Application equipment shall be calibrated in accordance with manufactures recommendation and best management practices. Application equipment shall be calibrated to maintain an operating pressure not to exceed sixty pounds per square inch (60 psi) and nozzles shall be adjusted to exclude drift and avoid run off.

Cleaning

Equipment used for the purpose of herbicide application shall be cleaned in an appropriate location which avoids sensitive areas.

Vehicles used in application operations shall be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills.

A log of herbicides on vehicle will be kept within the vehicle

Product labels, fact sheets, the VMP, YOP, and Herbicide Spill Check List will be carried on site by the applicator.

Private Property

In general, the Town of Shelburne Highway Department does not trespass or enter upon land to perform work on private property with the exception of eliminating a Public Nuisance.

Notifications

The Town of Shelburne Highway Department will notify the Selectboard, The Board of Health, and the Shelburne Water Department at least twenty-one days in advance of the application of herbicides to ROW. The notice shall include the approximate date when the application will occur and the application shall occur no later than ten days after approximate date reported. The notice shall also include a copy of the MDAR approved product fact sheet for the active ingredient, name or names of applicators, or the name of the company contracted to conduct the application.

Prior to any herbicide application within a ROW notice shall be provided in accordance with 333 CMR 11.07(3).

Summary of Applications and Control Methods

Target	Techniques	Comments
Poison Ivy	Herbicide Application-----	May be growing within 10 feet of ROW. Application will be excluded within no spray zones and sensitive areas

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Grass and Broadleaf Weeds	Mulching----- Mowing----- Hand Pulling----- Herbicide Application-----	Preventive measures for planting beds In most cases When warranted Spot treatment of grass growing along guiderails or in cracks where mowing or cutting is not practical or safe
Low Growth (Generally ground cover)	Mulching----- Mowing----- Herbicide Application----- Hand cutting-----	Woodchips as a preventative measure along ROW boundary In most cases, option for sensitive areas When and where appropriate Terrain prevents mowing and re-sprouting is not a concern, option for sensitive areas
Tall Growth (Generally taller than ground cover, but less than 12 feet in height. Woody and Non-woody plants)	Selective Trimming----- Hand Cutting----- Cut stem treatment-----	For risk conditions For risk conditions For species less than 12 feet in height that are capable of re-sprouting

Rights of Way Material List

The products for this YOP and approved VMP shall comply with the Rights of Way Sensitive Area Materials List available at <https://www.mass.gov/service-details/rights-ofway-sensitive-area-materials-list>

Rights of Way Materials List

Trade Name	Active Ingredient	EPA Reg #	Application Rate
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Aquaneat	Glyphosate	228-365	Lowest Labeled Rate for a appropriate site
Razor	Glyphosate	228-366	Lowest Labeled Rate for a appropriate site
Razor Pro	Glyphosate	228-366	Lowest Labeled Rate for a appropriate site
Rodeo	Glyphosate	62719-324	Lowest Labeled Rate for a appropriate site
Garlon 4	Triclopyr, Butoxy Ethyl Ester	62719-40	Lowest Labeled Rate for a appropriate site
Garlon 4 Ultra	Triclopyr, Butoxy Ethyl Ester	62719-527	Lowest Labeled Rate for a appropriate site

Process, References and Sources for Identifying Sensitive Areas and Control Strategies Proposed for Sensitive Areas

Identifying Sensitive Areas

333 CMR 11.04 defines sensitive areas as “ ... any areas within Rights of Way, including No-Spray and Limited Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.”

Sensitive Areas regulated by 333 CMR 11.00 include

Water

Zone 1

Zone II

IWPA (Interim Wellhead Protection Area)

Class A Surface Water Source

Tributaries to a Class A Surface Water Source

Class B Drinking Water Intakes

Private Wells

Surface Waters

Wetlands

Water Over Wetlands

The Mean Annual High Water Line of a River

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(Process, References and Sources for Identifying Sensitive Areas and Control Strategies Proposed for Sensitive Areas)

The Outer Boundary of a River Front Area

Certified Vernal Pools

Cultural Sites

Agricultural Areas

Inhabited Areas

Wildlife Areas

Certified Vernal Pool habitat

Priority Habitat

Identification Methods

Identification of Sensitive Areas Defined in 333 CMR 11.04

Readily identifiable in the field and not readily identifiable in the field. Readily identifiable in the field areas will be treated, identified and when appropriate, marked according to all applicable restrictions listed in 333 CMR 11.00. Not readily identifiable in the field areas will likewise be treated and marked when appropriate, but they are identified by the use of data marked on maps and collected in the yearly operational Plan and notification processes before the time of treatment.

The individuals assigned the task of identifying and treating sensitive areas in the field will use the appropriate sources and methods from the following list.

- Massachusetts Department of Environmental Protection (DEP) Watershed Maps delineate the perimeter of public watersheds and the location of public wells.
- Massachusetts DEP Wetland Conservancy Maps
- Municipal maps and records, Board of Health, Conservation Commission, and Natick Water Department Mapping
- Regional Planning Agencies maps and records
- Town of Shelburne Geographic Information System (GIS)
- A Copy of the yearly Operation Plan (YOP) and Vegetation Management Plan (VMP)
- Correspondence, meetings, and input within the forty-five day YOP, twenty-one day municipal ROW notification letter review and comment periods and the forty-eight hour newspaper notification. (333 CMR 11.06 and
- 11.07 and Chapter 85 of the Acts of 2000

(Process, References and Sources for Identifying Sensitive Areas and Control Strategies Proposed for Sensitive Areas CONTINUED)

- U.S. Fish and Wildlife Service National Wetlands Inventory Maps, available from the University of Massachusetts, Cartographic Information Research Services, Amherst

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The following is a description of how the sensitive areas may be identified for required protection.

- Consult the appropriate reference materials and sources to determine the location of such areas
- Place the boundaries of these sensitive areas on U.S. Geological Survey (USGS) topographical maps
- Prior to herbicide application the applicator will be provided the topographical map with sensitive areas for flagging boundaries
- Sensitive area boundaries and/or the boundaries of the appropriate buffer zone will be flagged prior to the herbicide application

Sensitive Areas readily identifiable in the field include surface waters, inhabited areas and agricultural areas. The method utilized to identify these sensitive areas is as follows.

- Consult USGS topographic maps to locate sensitive areas
- Prior to herbicide application the applicator will be provided the topographical map with sensitive areas for flagging boundaries
- Applicator will visually survey the area to be treated for any sensitive areas
- Applicator will locate sensitive areas prior to herbicide application and flag appropriate buffer zone
- Municipal Maps and records, Board of Health, Conservation Commission, and Shelburne Water Department maps

Sensitive Area Restrictions (333 CMR 11.04)

In any sensitive area

- The minimum labeled rate of herbicide for the appropriate site, targeted pest, and application methods shall be applied
- Herbicides shall be applied selectively by low pressure foliar techniques or stem application only or other method approved for use by The Department of Agricultural Resources

Treatments in the limited spray areas require the use of herbicides from the Sensitive Area Materials List available at <https://www.mass.gov/service-details/right-of-way-sensitive-area-materials-list>

Sensitive Area Restriction Guide (333 CMR 11.04)

Sensitive Area	No Spray Zone	Limited Use Area	Where Identified
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Water over Wetlands	Within 10 Feet	10-100 feet 12 months must elapse between applications, Selective low pressure using foliar techniques or cut stem applications	YOP Maps and identify on site
Certified Vernal Pool	Within 10 Feet	10 feet to the outer boundary of any Certified Vernal Pool habitat, 12 months must elapse between applications, Selective Low pressure using foliar techniques or cut stem applications	YOP Maps and identify on site

Public Ground Water Supply	Within 400 feet (Zone 1)	Zone II or IWPA(Primary Recharge Area), 24 months must elapse between applications, Selective low pressure, using foliar techniques or cut stem applications	YOP Maps
Public Surface Water Supply	Within 100 feet of any Class A public surface water source	100 feet to the outer boundary of the Zone A, 24 Months must elapse between applications. Selective low pressure, using foliar techniques or cut stem applications	YOP Maps

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Public Surface Water Supply	Within 10 feet of any tributary or associated surface water body located outside of Zone A	10 feet to the outer boundary of the Zone A, 24 months must elapse between applications. Selective low pressure, using foliar techniques or cut stem applications	YOP Maps
Public Surface water Supply	Within a lateral distance off 100 feet or 400 feet upstream of any Class B Drinking Water Intake	Within a lateral distance of between 100-200 feet or 400 feet upstream of intake, 24 months must elapse between applications. Selective low pressure, using foliar techniques or cut stem applications	YOP Maps
Private Water Supply	Within 50 Feet	50-100 feet, 24 months must elapse between applications, Selective low pressure, using foliar techniques or cut stem applications	YOP Well List and identify on site
Surface Waters	Within 10 Feet from mean annual high water line	10 feet from the mean annual high water line and the outer boundary of the Riverfront Area, 12 months must elapse between applications, Selective low pressure, using foliar techniques or cut stem applications	YOP Maps and identify on site
Agricultural and Inhabited Areas	N/A	0-100 feet, 12 months must elapse between applications, Selective low pressure, using foliar techniques or cut stem applications	Identify on site
State Listed Species Habitat	No application within habitat area except in accordance with a YOP approved in writing by the Division of Fish and wildlife	N/A	YOP Maps

Methods Used to Designate Sensitive Areas

Sensitive areas as defined by 333 CMR 11.00 will be designated and marked by the Town of Shelburne Highway department using maps locating the Rights-of-Way and sensitive areas not readily identifiable in the field. The Town of Shelburne Highway Department may consult with the Shelburne Conservation Commission, Board of Health and any other applicable town official to ensure sensitive areas are protected and appropriately identify and designated.

Prior to herbicide applications within ROW listed in this YOP, the Right of Way will be walked by Shelburne Highway Department staff in order to appropriately identify sensitive areas. Purple pavement markings will be used to identify NO SPRAY ZONES. These markings will be placed on asphalt, curbing, and sidewalks where necessary and stenciled "NSZ".

The Sensitive Area Guide can be referenced within the vegetation Management Plan approved by the Department of Agriculture and Resources.

Procedures and Locations for Handling, Mixing and Loading of Herbicide Concentrate

All herbicide concentrates will be handled, mixed, and loaded outside of any sensitive areas, abiding by applicable laws, best management practices and product labels.

Equipment used for the purpose of herbicide application shall be cleaned in an appropriate location which avoids sensitive areas.

Vehicles used in application operations shall be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills.

A log of herbicides on vehicle will be kept within the vehicle

Product labels, fact sheets, approved VMP, current approved YOP and Herbicide Spill Kit and Check List will be carried on site by the applicator.

Plan to Address Spills and Related Accidents

All mixing and loading will be performed in a manner consistent with the manufacturer label and best management practices in a location outside of sensitive areas.

In the event of an incident such as a spill, immediate action will be taken to contain the spill and protect the surrounding area. The cause of the spill must be identified and secured. Spill containment should include covering the spill with adsorptive clay or other similar material. For larger spills clay or soil dikes should be built to impede spill progress. Until the spill is completely cleaned, protection of the spill area should include barriers, flagging, or stationed crew members. If a fire occurs, care shall be taken to avoid breathing fumes.

Clean up of minor spills may be accomplished by soaking up the spill with adsorptive clay or other material and placing the material in a leak proof container for proper disposal. All contaminated soil should be placed in leak proof containers, removed from the site and disposed of properly. Any minor spill will be reported to the MDAR ROW Coordinator within twenty-four hours.

Major spills are defined by the Department of Environmental Protection (DEP) as reportable quantities of a hazardous material that are managed by 333 CMR. Any major spill should be

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evaluated under the reporting requirements of the Massachusetts Contingency Plan (MCP) 310 CMR 40.00. Major spills should be handled in the same manner as minor spills. More equipment and materials may be needed for cleanup and certain notifications are required. If the spill is too large for the application crew to clean up, then, after containment and site protection is secured, a hazardous waste cleanup company should be contacted immediately and directed to the site. The Shelburne Highway Department, MDAR (as per 333 CMR 10.15 (4) Record Keeping Requirements), DEP, and any other persons or agency required by applicable law will be notified.

In the event of a spill or incident, information on safety precautions and procedures can be found from the following sources.

- Product Label
- Product Safety Data Sheet
- Product Manufacturer
- Massachusetts Pesticide Bureau (617) 626 1781
- Massachusetts Department of Environmental Protection Incident Response Unit (617) 556 1133 or (888) 304 1133
- Massachusetts Department of Public Health, Bureau of Environmental Health's Environmental Toxicology Program (617) 339 8351
- Chem Trec (800) 424 9300 or Clean Harbors (800) OIL TANK
- Shelburne Police and Fire 911 or (413) 625 8200/413 625 6796 or 911
- Massachusetts Poison Information Centers (800) 682 9211
- Pesticide Hotline (800) 858 7378
- National Animal Poison Control Center (888)426 4435

Contractor Performing Herbicide Applications

Individuals performing herbicide applications in accordance with this YOP and approved VMP shall be appropriately certified by the Department of Agricultural Resources, or licensed by the Department and working under the direct on-site supervision of an appropriately certified applicator in accordance with 333 CMR 11.00.

Name: Brain Colleran, MA, CERP, PWS, AFB

Company: Ecological Land Management LLC

Address: South Deerfield, MA

Phone Number: 978 358 1423

Signature:

Individual Representing the YOP Applicant/Supervising

Name: Jeff Johnston

Title: Shelburne Highway Department Superintendent

Address: 24 Colrain-Shelburne Rd, Shelburne MA, 01370

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Phone Number: (413) 625 0311

Signature:

Rights of ways to be treated

Old Greenfield Road

Rights of ways Using Mechanical Means

Zera Fiske Rd	Shelburne Center Rd	Carpenter Rd	Frankton Rd
Stoddard Rd	South Cooper Ln	Wilson graves Rd	Mechanic St
South Shelburne Rd	Cooper Ln	Smead Hill Rd	Main St
Taylor Rd	Tower Rd	Peckville Rd	Maple St
Old Albany Rd	Cross Lot Rd	Summit Rd	South Maple St
Guy Manners Rd	Patten Rd	North South Rd	Bridge St
Hawks Rd	Reynolds Rd	Cemetery Rd	Water St
Bardwells Ferry Rd	Little Mohawk Rd	Old Village Rd	High St
Bassett Rd	Prolovich Rd	Anderson Rd	Severance St
Allen Rd	Brook Rd	Goulds Rd	Deerfield St
Barnard Rd	Fiske Mill Rd	Halligan Ave	Hope St

(Rights of ways Using Mechanical Means Continued)

Grove St Old Greenfield Rd

Church St

Cross St

Warren drive

Massonick drive

Appendix A: Herbicide Fact Sheets

Fact Sheets for the Herbicides and active ingredients listed in the YOP may be found at:

<https://www.mass.gov/service-details/rights-of-way-sensitive-area-materials-list>

Appendix B: Product Labels

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Product Labels and other forms for the herbicides listed in the YOP may be found at:

Round up Pro

<http://www.cdms.net/label-Database/Advanced-Search#Result-product/854>

Razor

<http://www.cdms.net/label-Database/Advanced-Search#Result-product/7466>

Razor Pro

<http://www.cdms.net/label-Database/Advanced-Search#Result-product/6902>

Rodeo

<http://www.cdms.net/label-Database/Advanced-Search#Result-product/5096>

Garlon 4

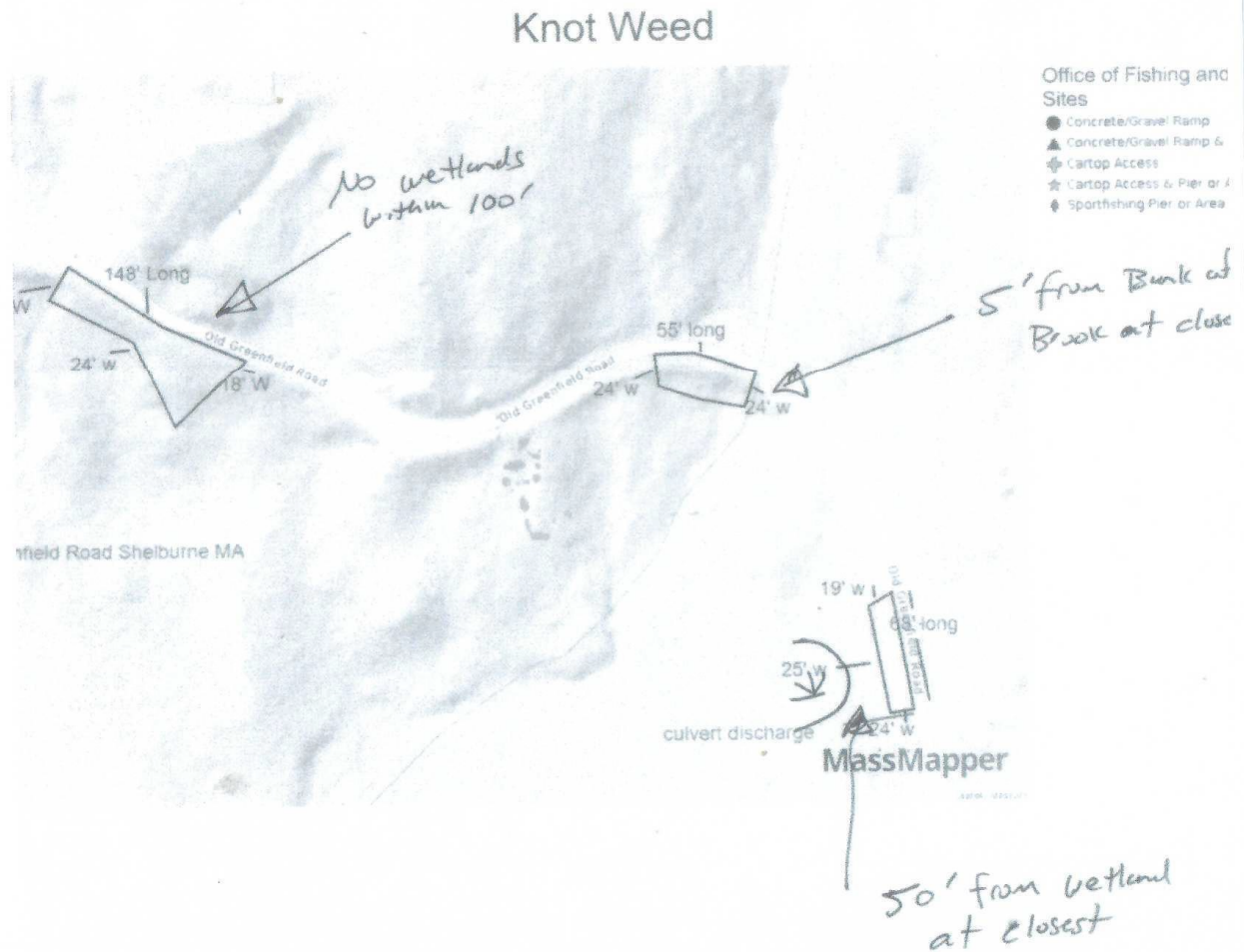
<http://www.cdms.net/label-Database/Advanced-Search#Result-product/1925>

Garlon 4 Ultra

<http://www.cdms.net/label-Database/Advanced-Search#Result-product/8141>

Appendix C: WetLand Delineation





Appendix D: Sensitive Area Mapping

An interactive map can also be found at :

<https://maps.massgis.digital.mass.gov>

- Massachusetts Department of Environmental Protection (MassDEP) Water Supply Maps (1:25000).
- Aerial Photographs.
- MassDEP Wetlands Conservancy Maps (scale 1:1000).
- Municipal Maps and records including those from the Shelburne Heath Department to identify private water supplies.
- Regional Planning Agency maps and records.
- U.S. Fish and Wildlife Service National Wetlands Inventory Maps.
- Ortho Photo Information-MassDEP (1:5000)
- Massachusetts Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP).
- Available MassGIS Maps.
- Town Maps, records or institutional Knowledge.